

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Customer Number: 20277  
 Toshio INAJI, et al. : Confirmation Number: 4474  
 Application No.: 10/670,199 : Group Art Unit: 2651  
 Filed: September 26, 2003 : Examiner: JASON C. OLSON  
 For: DISK DRIVE AND DISK DRIVE CONTROL METHOD

Mail Stop FEE Amendment  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an Amendment in the above-identified application.

- ☐ No additional fee is required.  
☐ Applicant is entitled to small entity status under 37 CFR 1.27  
☒ Also attached: Petition for Extension of Time

The fee has been calculated as shown below:

	NO. OF CLAIMS	HIGHEST PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	FEE
Total Claims	14	68	0	\$50.00 =	\$0.00
Independent Claims	2	16	0	\$200.00 =	\$0.00
Multiple dependent claims newly presented					\$0.00
Fee for extension of time					\$120.00
					\$0.00
Total of Above Calculations					\$120.00

- ☒ Please charge my Deposit Account No. 500417 in the amount of \$120.00. An additional copy of this transmittal sheet is submitted herewith.
- ☒ The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment, to Deposit Account No. 500417, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

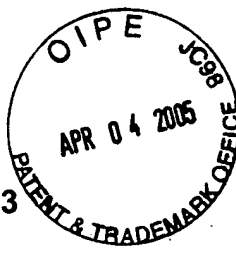
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Please recognize our Customer No. 20277 as our correspondence address.

IFW



Attorney Docket No.: 56937-093

PATENT

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In re Application of :  
Toshio INAJI, et al. : Customer No.20277  
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**ELECTION UNDER 35 U.S.C. § 121  
AND PRELIMINARY AMENDMENT**

Mail Stop FEE Amendment  
Hon. Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement set forth in the Office Action mailed February 4, 2005, having a shortened statutory period for response set to expire March 4, 2005, a petition for an extension of time up to and including April 4, 2005 being filed concurrently herewith, wherein the Examiner required restriction between the following distinct Species:

- Species I - disclosed on page 42, line 7 through page 57, line 19, figures 1-8B;
- Species II - disclosed on page 57, line 22 through page 60, line 8, figures 9-10B;
- Species III - disclosed on page 60, line 11 through page 63, line 20, figures 11-13;
- Species IV - disclosed on page 63, line 23 through page 68, line 30, figures 14-17;

- Species V - disclosed on page 68, line 34 through page 71, line 22, figures 18-19;
- Species VI - disclosed on page 71, line 25 through page 74, line 25, figures 20-21; and
- Species VII - disclosed on page 74, line 28 through page 77, line 21, figures 22-23.

Applicants elect Species I, with claims 1-8 and 19-24 readable thereon, for initial prosecution on the merits.

Applicants also reserve the right to file a Divisional Application for the non-elected claims, which the Examiner has indicated is patentably distinct.

#### **PRELIMINARY AMENDMENT**

Prior to the substantive examination of the above-identified application, please amend the application as follows: